



## ***City of El Paso – City Plan Commission Staff Report***

**Case No:** PZDS16-00010  
**Application Type:** Detailed Site Development Plan Review  
**CPC Hearing Date:** May 5, 2016  
**Staff Planner:** Andrew Salloum, 915-212-1643, salloumam@elpasotexas.gov

**Location:** 3500 Joe Battle Boulevard  
**Legal Description:** A portion of Lot 1, Block 1, Loop RC Poe Development, City of El Paso, El Paso County, Texas  
**Acreage:** 1.865 acres  
**Rep District:** 5  
**Existing Zoning:** C-4/c (Commercial/conditions)  
**Existing Use:** Vacant  
**C/SC/SP/ZBA/LNC:** Condition: Ordinance No. 15023 dated January 29, 2002  
**Request:** Detailed Site Development Plan Review per Ordinance No. 15023  
**Proposed Use:** Hotel

**Property Owner:** Bankim Bhatt  
**Representative:** SLI Engineering, Inc.

### **SURROUNDING ZONING AND LAND USE**

North: C-4/c (Commercial/conditions) / Vacant  
South: C-4/c (Commercial/conditions) / Vacant  
East: R-5 (Residential) / Single-family dwellings  
West: C-4/c (Commercial/conditions) / Vacant

**PLAN EL PASO DESIGNATION:** G-4, Suburban (Walkable) (East Planning Area)

**NEAREST PARK:** Tierra Del Este #18 Park (1,661 feet)

**NEAREST SCHOOL:** El Dorado High School (3,207 feet)

### **NEIGHBORHOOD ASSOCIATION**

Eastside Civic Association  
Las Tierras Neighborhood Association

### **NEIGHBORHOOD INPUT**

Detailed Site Development Plan Review does not require public notification as per Section 20.04.520, Notice of the El Paso City Code.

### **CASE HISTORY**

On January 29, 2002, the subject property was rezoned from R-3 (Residential) to C-4/c (Commercial/conditions) with the following conditions imposed by Ordinance No. 15023 (Attachment 6):

*1. Prior to the issuance of any building permits, a detailed site development plan shall be reviewed and approved by the City Plan Commission.*

Condition #1 will be satisfied by this detailed site development plan application.

*2. A ten (10) foot landscaped buffer to included evergreen trees placed at 15 feet on center shall be required between the C-4 parcel and the abutting residential parcels.*

Condition #2 has been satisfied as shown on detailed site development plan.

### **APPLICATION DESCRIPTION**

The request is for a detailed site development plan review as required by Ordinance No. 15023 dated January 29, 2002 (see Attachment 6). The detailed site development plan shows a new 54,160 sq. ft. hotel, 45 feet 4 inches in height. The development requires a minimum of 72 parking spaces and the applicant is providing 93 parking spaces and 6 bicycle spaces. The second condition imposed on subject property requires a ten (10) foot landscaped buffer abutting the residential district to the east, which is shown on detailed site development plan as required. The development complies with the minimum landscape area requirements of Title 18.46. Primary access is proposed via a 30-foot private utility access and drainage easement from Joe Battle Boulevard and RC Poe Road that will be shared with the abutting property to the north, south, and west as per an access agreement.

### **PLANNING DIVISION RECOMMENDATION**

The Planning Division recommends **APPROVAL** of the detailed site development plan request as it meets all the requirements of Section 20.04.150, Detailed Site Development Plan.

### **ANALYSIS**

20.04.140 When required.

Except as stated herein, a detailed site development plan is required prior to development in a special purpose district or with a special permit application and may be required if a zoning condition exists on a particular piece of property. Detailed site development plans are not required for any projects for development in the Mixed Use District (RMU, GMU and IMU) or for any other projects other than those located in special purpose districts or as otherwise required herein.

*Note: Detailed Site Development Plan review is required by rezoning condition imposed on the subject property.*

20.04.150 Procedure.

C. Administrative approval. Detailed site development plans meeting the following conditions shall be reviewed and approved by the zoning administrator:

1. The site is two acres or less in size, and
2. The site plan contains no more than two buildings, and
3. The site plan complies with any zoning conditions and all city code provisions, to include the tables for uses and density and dimensional standards and;
4. The city's department of transportation has no concerns with access or restriction of access to the site; and,
5. The site plan complies with staff recommendations concerning the location of stormwater drainage structures and easements to include onsite ponding areas; the location and arrangement of structures, vehicular and pedestrian ways; open spaces and landscape planted areas. Staff recommendations shall not require that the site plan have landscaping in excess of what is required under the city code or any zoning condition.

If the zoning administrator does not approve an applicant's detailed site development plan, the applicant may appeal the decision to the city plan commission. The applicant must file the appeal with the zoning administrator within fifteen business days from the date of the zoning administrator's decision. The zoning administrator shall place the appeal on the city plan commission agenda to be heard by the commission within thirty business days from the date the appeal was received. The zoning administrator shall include the detailed site plan, the appeal, and a summary of the zoning administrator's reasons for disapproving the detailed site plan.

*Note: The detailed site development plan review is not eligible for administrative approval, due to a condition imposed on the subject property which requires review and approval by City Plan Commission.*

- D. City plan commission approval. Pursuant to this Code, the city plan commission, in addition to the powers and duties identified in this chapter, shall have final authority on approval of all other detailed site development plans, unless a zoning condition, contract provision, other city code provision or state law require the detailed site development plan to be approved by city council.
1. The planning division shall make its recommendations to the city plan commission within thirty days after a complete application is submitted.
  2. The city plan commission shall hold a public hearing at its regular meeting that is within thirty days from receipt of department recommendations.
  3. The commission shall consider the following information when approving a proposed detailed site development plan: the boundaries of the tract proposed for development; location and arrangement of structures; determine if the use conforms to applicable zoning regulations, determine if historic landmark commission approval has been granted for architectural design of all structures if located in a historic district and the design conforms to such approval; location of utility rights-of-way and easements and stormwater drainage; vehicular and pedestrian ways; on-site parking areas; location of open spaces and landscape planted areas.
  4. In no instance shall the city plan commission have authority to vary the yard standards applicable to the district.
  5. The city plan commission shall approve the plan if it complies with all applicable code provisions.

*Planning Staff has reviewed the detailed site development plan, and it meets all requirements of 20.04.150, Detailed Site Development Plan and the rezoning condition.*

#### **Plan El Paso- Future Land Use Map Designation**

All applications for detailed site plan review shall demonstrate compliance with the following criteria:

G-4, Suburban (Walkable): This sector applies to modern single-use residential subdivisions and office parks, large schools and parks, and suburban shopping centers. This sector is generally stable but would benefit from strategic suburban retrofits to supplement the limited housing stock and add missing civic and commercial uses.

The purpose of the C-4 (Commercial) district is to provide for locations for the most intensive commercial uses intended to serve the entire city. It is intended that the district regulations permit heavy commercial uses characterized by automotive and light warehousing. The regulations of the districts are intended to provide a transition from general business areas to industrial and manufacturing uses, and to accommodate major locations of commerce, service and employment activities. Within the central business district, more intensive commercial uses are allowed, the predominant of which are retail trade and service uses, providing less restrictive height and area regulations.

#### **COMMENTS:**

#### **Planning and Inspections Department - Planning Division - Transportation**

No objections to the detailed site development plan.

Note:

All existing and/or proposed paths of travel (accessible sidewalks, wheelchair access curb ramps and driveways) located within public rights-of-way shall follow the City of El Paso Design Standards for Construction and be ADA/TAS compliant.

#### **TXDOT**

This is not part of TxDOT ROW.

### **Planning and Inspections Department – Plan Review and Landscaping Division**

No objections to proposed detailed site development plan.

At the time of submittal for building permits the project will need comply with all applicable provisions of the IBC, TAS and local municipal code.

### **Planning and Inspections Department – Land Development**

1. No objections to proposed detailed site plan proposal.
2. Approval of the site plans by CPC constitutes a determination that the applicant is in compliance with the minimum provisions. Applicant is responsible for the adequacy of such plans, insuring that stormwater is in compliance with ordinances, codes, DSC, and DDM. Failure to comply may require the applicant to seek re-approval of the site plans from CPC.

### **Fire Department**

Recommend approval.

### **Sun Metro**

Sun Metro does not oppose this request.

### **El Paso Water Utilities**

EPWU-PSB Planning & Development Section does not object to this request.

Water:

There is an existing 8-inch diameter water main that extends along an existing 30' Utility Easement from R C Poe Rd to Edgemere Boulevard. This water main is available for service.

Previous water pressure readings from fire hydrant #10337 located at R C Poe Rd, 640' S (Easement W of Tierra Zafiro), yielded a static pressure of 60 (psi), a residual pressure of 52 (psi), and a discharge of 1,061 gallons per minute.

Sanitary Sewer:

There is an existing 8-inch diameter sanitary sewer main that extends along an existing 30' Utility Easement from R C Poe Rd to Edgemere Boulevard. This main is available for service.

General:

All easements dedicated for public water and/or sanitary sewer facilities are to comply with EPWU-PSB Easement Policy. No building, reservoir, parking stalls, signs, light pole, structure or other improvement, other than asphaltic paving (HMAC), shall be constructed or maintained on the above referenced El Paso Water Utilities - Public Service Board Easements without the written consent of EPWU. EPWU easements shall be improved to allow the operation of EPWU maintenance vehicles. EPWU requires access to the proposed water and sewer facilities within the easements 24 hours a day, seven (7) days a week. Easement grantor shall indemnify, defend, and hold harmless the El Paso Water Utilities – Public Service Board from and against any and all claims, liability, actions, and damages for bodily injury and property damage to third parties or to the El Paso Water Utilities – Public Service Board which may be caused by or arise out of the maintenance and existence of said water and sanitary sewer mains in the easement area.

EPWU-PSB requires a service application for a new service to the property. New service applications should be made 6-8 weeks in advance of construction to ensure water for construction work. The following items, if applicable, are required at the time of application: (1) hard copy of site plan with street names and addresses; (2) finalized set of improvement plans, including grading & drainage plans; (3) digital copy of site plan; (4) benchmark check; (5) construction schedule; and (6) a certificate of compliance. Service will be provided in accordance with the current El Paso Water Utilities – Public Service Board (EPWU-PSB) Rules and Regulations. The owner is responsible for the costs of any necessary on-site and off-site extensions, relocations or adjustments of water and sanitary sewer lines and appurtenances.

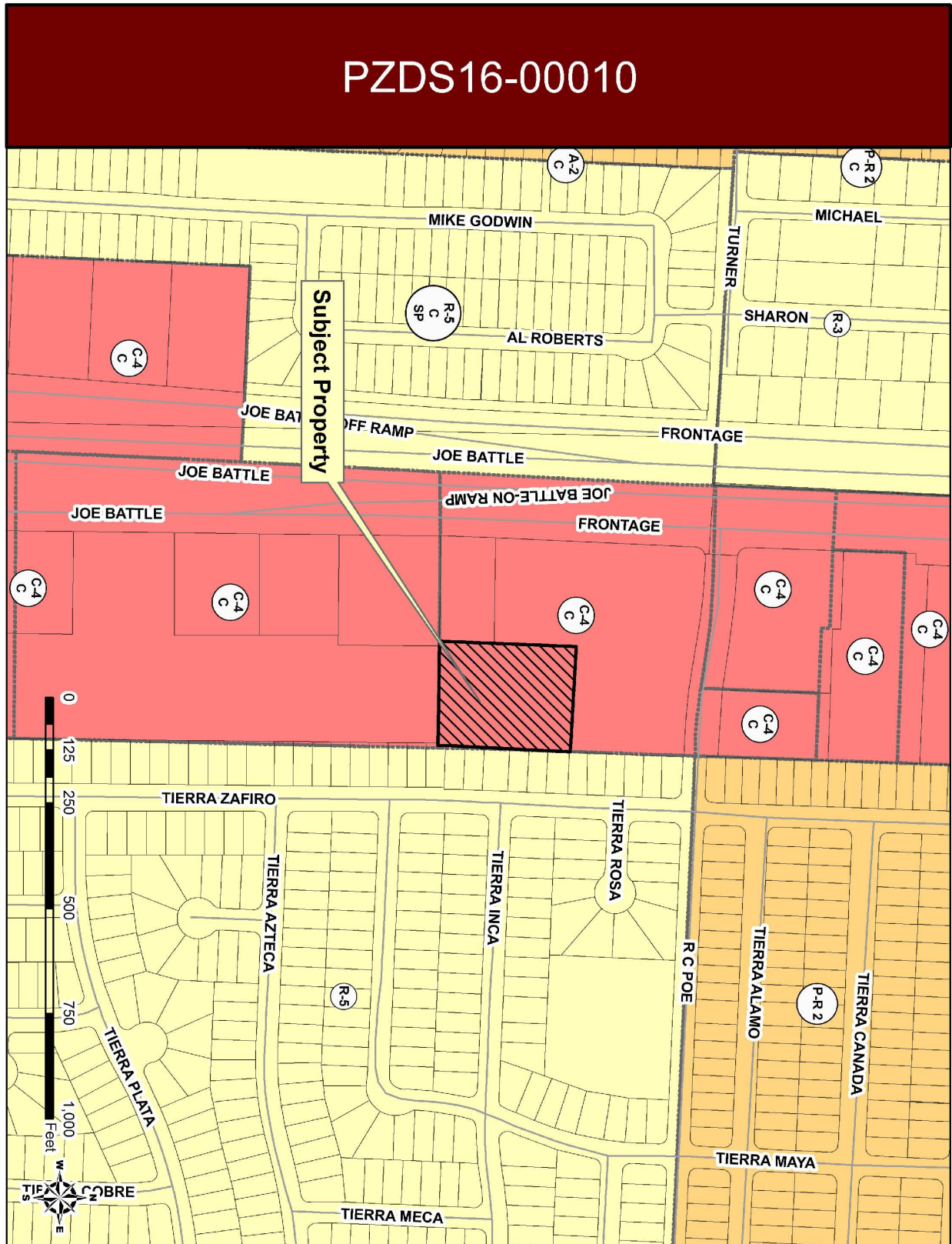
### **EPWU - Stormwater Division**

1. The developer shall be responsible for the additional stormwater runoff generated by the proposed subdivision, and must ensure that the historic runoff volume, peak and duration are maintained.
2. Not required but recommended:
  - Using principles of low impact development (such as recessed landscaping, rainwater harvesting, and porous pavements) to reduce the amount of developed stormwater runoff.

**Attachments**

1. Zoning Map
2. Aerial Map
3. Detailed Site Development Plan
4. Detailed Site Development Plan, Enlarged
5. Elevations
6. Ordinance No. 15023 dated January 29, 2002

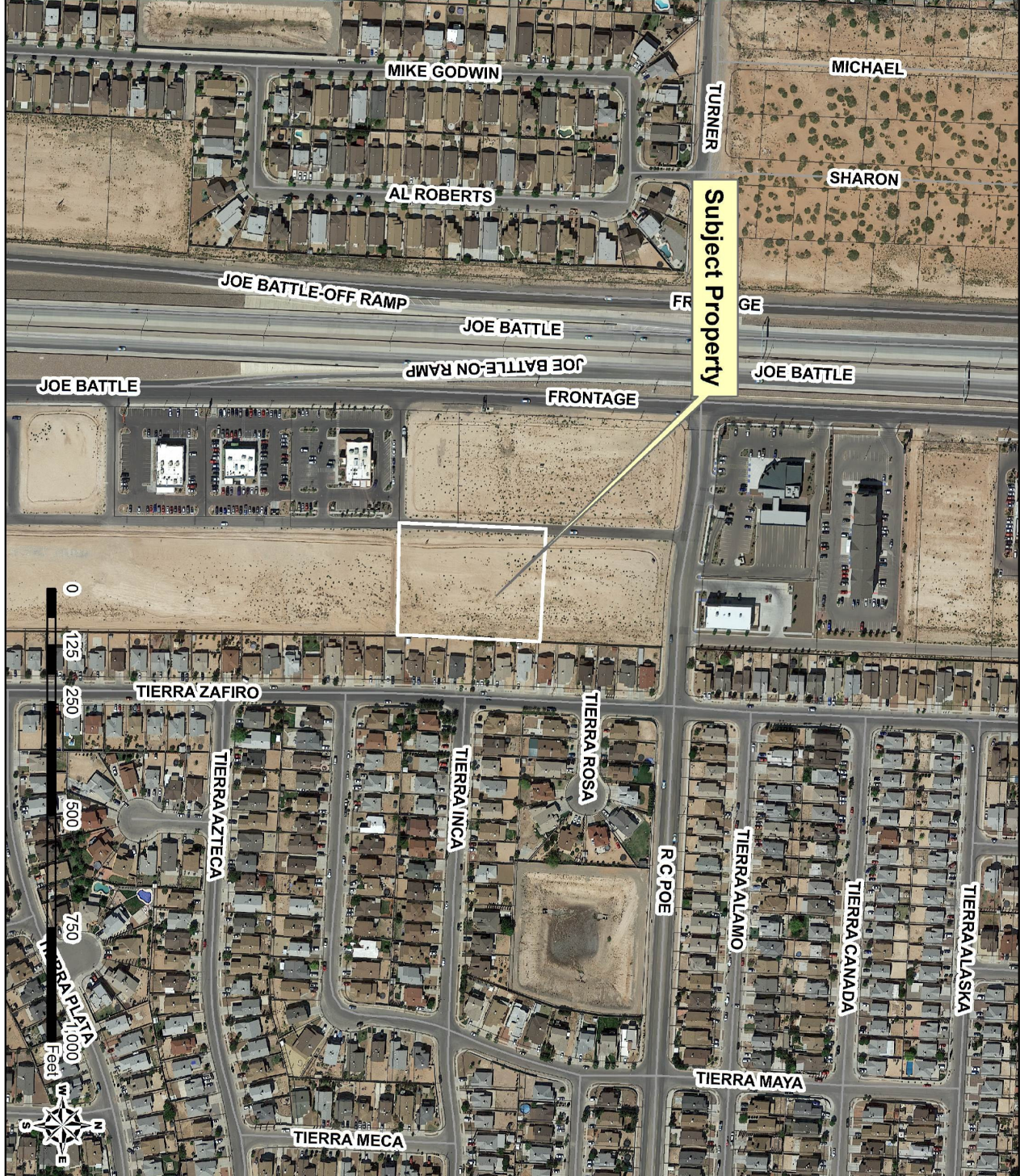
ATTACHMENT 1: ZONING MAP





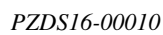
ATTACHMENT 2: AERIAL MAP

PZDS16-00010



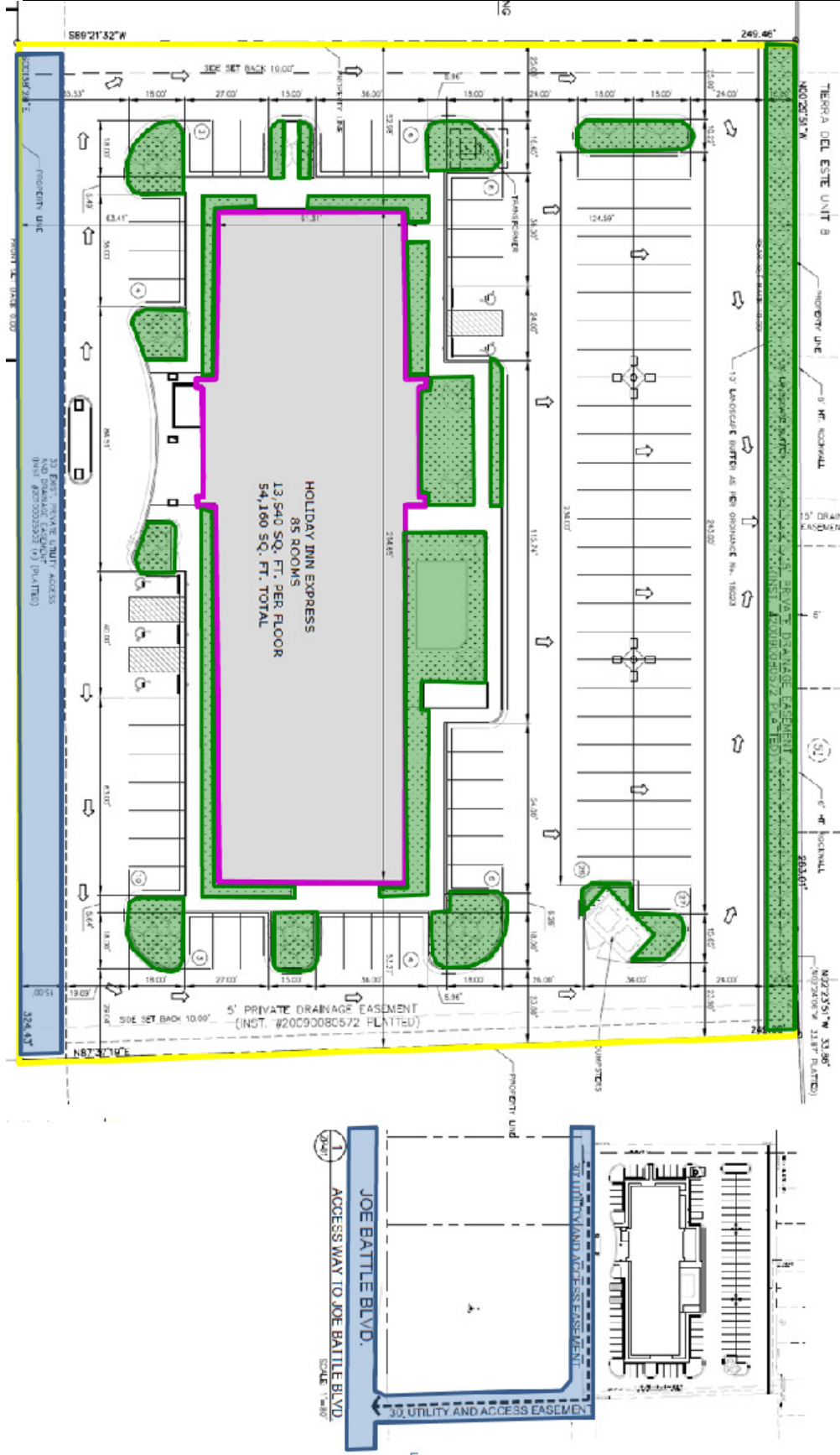


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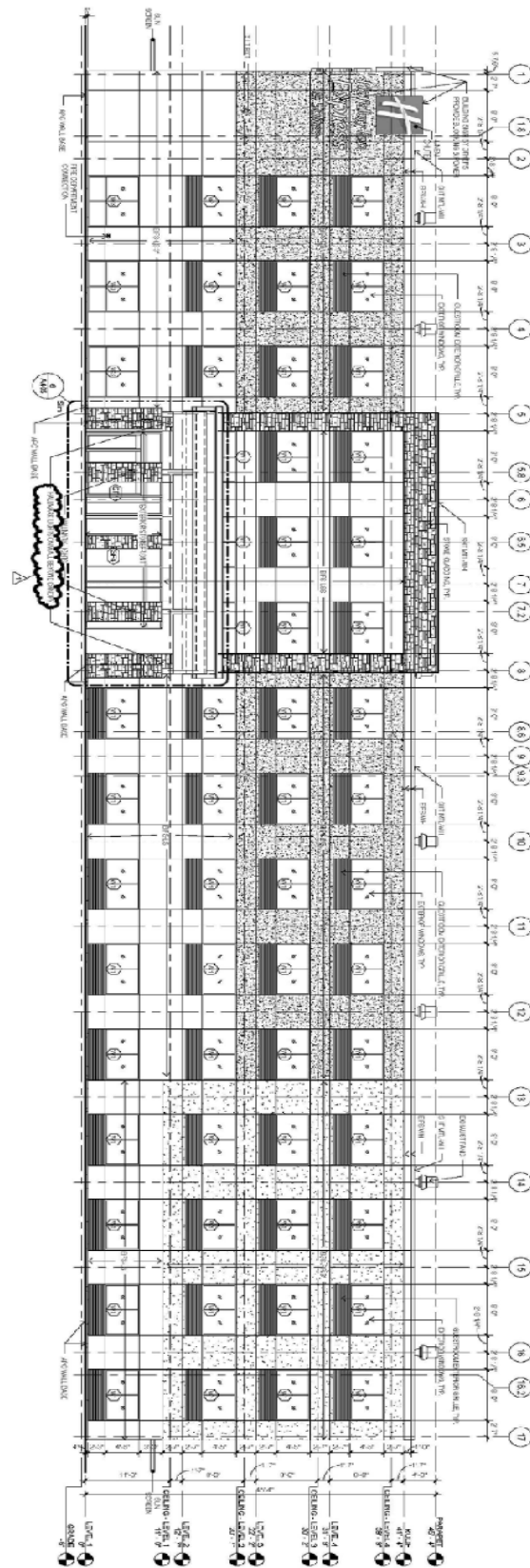




# ATTACHMENT 4: DETAILED SITE DEVELOPMENT PLAN, ENLARGED



# ATTACHMENT 5: ELEVATION



**ATTACHMENT NO. 6: ORDINANCE NO. 15023 DATED JANUARY 29, 2002**

ORDINANCE NO. 15023

AN ORDINANCE CHANGING THE ZONING OF A PORTION OF SECTION 33 AND ALL OF TRACTS 1 AND 1A, SECTION 40, BLOCK 79, TOWNSHIP 2, TEXAS & PACIFIC RAILROAD COMPANY SURVEYS, EL PASO, EL PASO COUNTY, TEXAS (EAST OF LOOP 375 AND SOUTH OF MONTANA AVENUE) AS FOLLOWS: PARCEL 1, FROM R-3 (RESIDENTIAL) TO C-4/C (COMMERCIAL/CONDITIONS); PARCEL 2, FROM R-3 (RESIDENTIAL) TO PR-II (PLANNED RESIDENTIAL); PARCEL 3, FROM R-3 (RESIDENTIAL) TO R-5 (RESIDENTIAL); PARCEL 4, FROM R-3 (RESIDENTIAL) TO C-3/C (COMMERCIAL/CONDITIONS); AND PARCEL 5, FROM R-3 (RESIDENTIAL) TO R-3A (RESIDENTIAL), AND IMPOSING CERTAIN CONDITIONS. THE PENALTY BEING AS PROVIDED IN SECTION 20.68.010 OF THE EL PASO MUNICIPAL CODE.

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EL PASO:**

That the zoning of a portion of Section 33 and all of Tracts 1 and 1A, Section 40, Block 79, Township 2, TEXAS & PACIFIC RAILROAD COMPANY SURVEYS, El Paso, El Paso County, Texas, as more particularly described by metes and bounds in the attached Exhibit "A", be changed as follows:

Parcel 1 (144.587 Acres):	from R-3 (Residential) to C-4/c (Commercial/conditions)
Parcel 2 (121.717 Acres):	from R-3 (Residential) to PR-II (Planned Residential)
Parcel 3 (247.900 Acres):	from R-3 (Residential) to R-5 (Residential)
Parcel 4 (26.063 Acres):	from R-3 (Residential) to C-3/c (Commercial/conditions)
Parcel 5 (280.682 Acres):	from R-3 (Residential) to R-3A (Residential)

within the meaning of the zoning ordinance, and that the zoning map of the City of El Paso be revised accordingly; and

That Parcel 1 and Parcel 4 be subject to the following conditions which are necessitated by and attributable to the increased intensity of use generated by the change of zoning from R-3 (Residential) in order to protect the health, safety and welfare of adjacent property owners and the residents of this city:

Parcel 1

1. Prior to the issuance of any building permits, a detailed site development plan shall be reviewed and approved by the City Plan Commission.
2. A ten (10) foot landscaped buffer to include evergreen trees placed at 15 feet on center shall be required between the C-4 parcel and the abutting residential parcels.

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ORDINANCE NO. \_\_\_\_\_

Zoning Case No. ZC-01061

Parcel 4 - the following C-3 uses are prohibited:

1. Automobile, light truck, bus, motorcycle & boat sales, storage, rental and service
2. Hotels, motels or motor lodge
3. Transportation terminal
4. Trailer, mobile home, travel trailer & recreational vehicle sales, display & repair
5. Travel trailer & mobile home parks

These conditions run with the land, are a charge and servitude thereon, and bind the current property owner and any successors in title. The City may enforce these conditions by injunction, by rescission of the zoning which is made appropriate as a result of these conditions, or by any other legal or equitable remedy. The City Council of the City of El Paso may amend or release the above conditions in its discretion without the consent of any third person who may be benefited thereby, and without affecting the validity of this ordinance.

**PASSED AND APPROVED** this 29<sup>th</sup> day of **January, 2002**.

THE CITY OF EL PASO

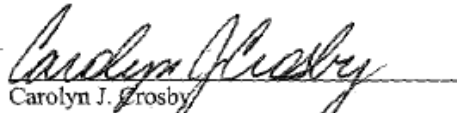


Raymond C. Caballero  
Mayor

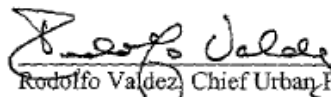
ATTEST:

  
City Clerk

APPROVED AS TO FORM:

  
Carolyn J. Grosby  
Assistant City Attorney

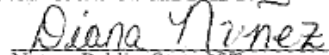
APPROVED AS TO CONTENT:

  
Rodolfo Valdez, Chief Urban Planner  
Dept. of Planning, Research & Development

**Acknowledgment**

THE STATE OF TEXAS }  
COUNTY OF EL PASO }

This instrument is acknowledged before me on this 4<sup>th</sup> day of February, 2002 by RAYMOND C. CABALLERO as Mayor of THE CITY OF EL PASO.

  
Notary Public, State of Texas  
Notary's Printed or Typed Name:  
Diana Nunez

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ORDINANCE NO. \_\_\_\_\_

Zoning Case No. ZC-01061



Being a portion of Tract 1, Section 33, Block 79, Township 2,  
And a portion of Tract 1, Section 40, Block 79, Township 2,  
Texas & Pacific Railway Company Surveys  
City of El Paso, El Paso County, Texas  
Prepared for: Foster Schwartz Development Corporation  
October 1, 2001

**EXHIBIT "A"**

**METES AND BOUNDS DESCRIPTION**

**Parcel 1**

Description of a portion of Tract 1, Section 33, Block 79, Township 2, and a portion of Tract 1, Section 40, Block 79, Township 2, Texas & Pacific Railway Company Surveys, City of El Paso, El Paso County, Texas and being more particularly described by metes and bounds as follows:

Commencing for Reference at a found City of El Paso geodetic disk in concrete marked east 20 for the common corners of Sections 40, 41, 44 and 45, Block 79, Township 2, Texas & Pacific Railway Company Surveys, Thence along the common boundary line of Sections 40 and 45, South 89°56'52" East a distance of 146.51 feet to a point on the easterly right of way line of Joe Battle Blvd. (Loop 375) for the "TRUE POINT OF BEGINNING"

Thence along said right of way line the following 12 courses;

1. North 00°30'06" West a distance of 1620.57 feet to a point;
2. North 01°23'54" East a distance of 1377.99 feet to a point;
3. North 46°29'01" East a distance of 102.61 feet to a point;
4. North 00°30'06" West a distance of 120.00 feet to a point;
5. North 47°29'13" West a distance of 102.61 feet to a point;
6. North 02°24'06" West a distance of 1377.99 feet to a point;
7. North 00°30'06" West a distance of 601.29 feet to a point;
8. North 00°31'27" West a distance of 1140.50 feet to a point;
9. North 04°53'42" East a distance of 543.54 feet to a point;
10. North 15°49'53" East a distance of 544.17 feet to a point;
11. North 21°17'09" East a distance of 798.31 feet to a point;
12. North 51°19'53" East a distance of 173.11 feet to a point on the southerly right of way line of Montana Avenue (U.S. Highway No. 62);

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Thence along said right of way line North 81°14'53" East a distance of 2313.98 feet to a point;

Thence leaving said right of way line South 00°34'12" East a distance of 1075.62 feet to a point;

Thence North 90°00'00" West a distance of 425.02 feet to a point;

Thence South 81°14'53" West a distance of 1842.47 feet to a point;

Thence South 15°49'53" West a distance of 480.29 feet to a point;

Thence South 04°53'42" West a distance of 472.02 feet to a point;

Thence South 00°31'27" East a distance of 1121.42 feet to a point;

Thence South 00°30'06" East a distance of 588.62 feet to a point;

Thence South 02°24'06" East a distance of 1516.36 feet to a point;

Thence South 00°25'06" West a distance of 3133.04 feet to a point;

Thence North 89°56'52" West a distance of 500.00 feet to the "TRUE POINT OF BEGINNING" and containing in all 6,298,217.45 Square Feet or 144.59 acres of land more or less.

NOTES:

1. Bearing based on warranty deed in volume 3657, page 548, real property records of El Paso County, Texas

*R. R. Conde*  
Ron R. Conde  
R.P.L.S. No. 5152



\*Job# 701-13-1  
R.C.  
MGL-01V70113-1.LGL

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